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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DE LAGE LANDEN FINANCIAL SERVICES: CIVIL ACTION

Plaintiff,	:
v.	:
SAWTELLE FAMILY LIMITED PARTNERSHIP,	NO: 02-CV-4203
WILLIAM SAWTELLE, and	:
PATTI COLE	:
Defendants.	:

ENTRY OF DEFAULT JUDGMENT

This action having been commenced on or about June 27, 2002 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been personally served on the defendant SAWTELLE FAMILY LIMITED PARTNERSHIP, on July 19, 2002 by personal service on William Sawtelle, general partner, and a proof of service having been filed on August 6, 2002 and the defendant not having answered the Complaint and the time for answering the Complaint having expired; and a copy of the Summons and Complaint having been personally served on the defendant WILLIAM SAWTELLE, on July 19, 2002 by personal service on William Sawtelle, and a proof of service having been filed on August 6, 2002 and the defendant not having answered the Complaint and the time for answering the Complaint having expired; and a copy of the Summons and Complaint having been personally served on the defendant PATTI COLE, on July 20, 2002 by personal service on Patti Cole, and a proof of

service having been filed on August 6, 2002 and the defendant not having answered the Complaint and the time for answering the Complaint having expired, it is
ORDERED, ADJUDGED AND DECREED: That judgment be entered in favor of De
Lage Landen Financial Services and against defendants SAWTELLE FAMILY LIMITED
PARTNERSHIP, WILLIAM SAWTELLE, and PATTI COLE, jointly and severally, in the
amount of \$388,408.05.

BY THE COURT:

JOHN R. PADOVA, J.

DATED: _____

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DE LAGE LANDEN FINANCIAL SERVICES: CIVIL ACTION

Plaintiff,	:	
	:	
vi.	:	
	:	
SAWTELLE FAMILY LIMITED	:	NO: 02-CV-4203
PARTNERSHIP,	:	
	:	
WILLIAM SAWTELLE, and	:	
	:	
PATTI COLE	:	
	:	
Defendants.	:	

AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA	:	
	:	SS
COUNTY OF MONTGOMERY	:	

Phillip D. Berger, Esquire, duly sworn according to law, deposes and says that he is the attorney for De Lage Landen Financial Services, the Plaintiff herein, and is authorized and does take this Affidavit on behalf of Plaintiff and that to the best of his knowledge, information and belief, the above named Defendants Sawtelle Family Limited Partnership, William Sawtelle and Patti Cole are over 21 years of age, and are not in the Military Service of the United States, nor any State or Territory thereof, or its allies as defined in the Soldiers' and Sailors' Civil Relief Act of 1940 and the amendments thereto.

PHILLIP D. BERGER, ESQUIRE

Sworn to and Subscribed
before me this ____ day
of _____, 2002.

Notary Public

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DE LAGE LANDEN FINANCIAL SERVICES: CIVIL ACTION

Plaintiff, :

v. :

SAWTELLE FAMILY LIMITED : NO: 02-CV-4203
PARTNERSHIP, :

WILLIAM SAWTELLE, and :

PATTI COLE :

Defendants. :

REQUEST FOR JUDGMENT BY DEFAULT

COMMONWEALTH OF PENNSYLVANIA :
: ss.:
COUNTY OF MONTGOMERY :

PHILLIP D. BERGER, ESQUIRE, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and am a member of the firm of Lundy, Flitter, Beldecos & Berger, P.C., attorneys for plaintiff in the above-entitled action, and I am familiar with all the facts and circumstances in this action.

2. I make this affidavit pursuant to Rule 55(b) of the Federal Rules of Civil Procedure, in support of plaintiff's application for the entry of a default judgment against the defendants.

3. This action was commenced on or about June 27, 2002 by the filing of the Summons and Complaint.

4. A copy of the Summons and Complaint was served on the defendant SAWTELLE FAMILY LIMITED PARTNERSHIP, on July 19, 2002 by personal service on William

Sawtelle, general partner, and a proof of service was filed on August 6, 2002. The defendant has not answered the Complaint and the time for answering the Complaint has expired.

5. A copy of the Summons and Complaint was served on the defendant WILLIAM SAWTELLE, on July 19, 2002 by personal service on William Sawtelle, and a proof of service was filed on August 6, 2002. The defendant has not answered the Complaint and the time for answering the Complaint has expired.

6. A copy of the Summons and Complaint was served on the defendant PATTI COLE, on July 20, 2002 by personal service on Patti Cole, and a proof of service was filed on August 6, 2002. The defendant has not answered the Complaint and the time for answering the Complaint has expired.

7. None of the defendants are infants, minors, mentally incompetent, or in the military service of the United States.

8. This actions seeks judgment against the defendants SAWTELLE FAMILY LIMITED PARTNERSHIP, WILLIAM SAWTELLE, and PATTI COLE, jointly and severally, in the liquidated amount of \$388,408.05, which is justly due and owing, and no part of which has been paid.

WHEREFORE, plaintiff De Lage Landen Financial Services requests that judgment by default in the sum of \$388,408.05 be entered against the defendants, jointly and severally.

LUNDY, FLITTER, BELDECOS & BERGER, P.C.

By: _____
PHILLIP D. BERGER, ESQUIRE

Sworn to before me this
____ day of September, 2002.

Notary Public

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DE LAGE LANDEN FINANCIAL SERVICES: CIVIL ACTION

Plaintiff, :
SAWTELLE FAMILY LIMITED : NO: 02-CV-4203
PARTNERSHIP, :
WILLIAM SAWTELLE, and :
PATTI COLE :
Defendants. :

CERTIFICATE OF SERVICE

I, Phillip D. Berger, Esquire, hereby certify that a true and correct copy of the Default Judgment in the above-captioned matter was served this date upon the following parties by first class mail, postage prepaid:

Sawtelle Family Limited Partnership
3100 Summer Avenue
Memphis, TN 38112

William Sawtelle
3100 Summer Avenue
Memphis, TN 38112

Patti Cole
3100 Summer Avenue
Memphis, TN 38112

LUNDY, FLITTER, BELDECOS & BERGER, P.C.

Dated: _____

By: _____
PHILLIP D. BERGER, ESQUIRE